Implementation of the Film Heritage Recommendation

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http://europa.eu.int/comm/avpolicy/

Film Heritage Recommendation Implementation Report

Report to be adopted as a Commission Staff Working Document. It includes:

1. Review of all relevant EU initiatives
2. Summary of reports from 26 Member States. Identification of problems and best practices
3. Conclusions

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Film Heritage Recommendation
The history

- Recommendation of the European Parliament and of the Council on film heritage and the competitiveness of related industrial activities

- Commission proposal of 16/03/2003 (legal basis: Article 157)

- Adopted by the European Parliament and the Council on 16/11/2005

- Legal basis: EC Treaty (Articles 157 and 151).

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Legal basis for Community action: EC Treaty

Article 157: Industrial policy

1. The Community shall ensure that the conditions necessary for the competitiveness of the Community's industry exist.

....

Legal basis for Community action: EC Treaty

Article 151 of the EC Treaty: cultural policy

151.2: Action by the Community shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:

....

- conservation and safeguarding of cultural heritage of European significance
- artistic and literary creation, including in the audiovisual sector.

151.4: The Community shall take cultural aspects into account in its action under other provisions of this Treaty, in particular in order to respect and to promote the diversity of its cultures.

Film Heritage Recommendation

- <u>Political signal at EU level:</u> film heritage matters

- <u>New impulse to Member States action</u>

- <u>Transparency:</u>Bi-annual reports from Member States + monitoring from the Commission

- <u>Learning from each other</u>

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Film Heritage Recommendation Implementation Report

- Member States are recommended to inform the Commission every two years of action taken in response to the Recommendation.

- Reminder letter + questionnaire sent on 4/10/07

- Draft report circulated to EU Member States on 11/4/08. Deadline for comments: 15/5/08

- 26 reports received (missing: Luxembourg)

- Publication of reports in the Commission website

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1. Relevant EU initiatives in support of film archives

- EU Cinema Expert Group meetings
- Standardisation mandate to CEN on interoperability of film databases
- Framework contract on voluntary deposit
- Copy-right legislation
- MEDIA Pilot projects (MIDAS, European Film Treasures)
- eContentplus Programme « European Film Gateway »
- Europeana
- Orphan works

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1. Relevant EU initiatives
Cinema Expert Group meetings

- Set-up by the Cinema Communication of 2001 COM(2001) 534.

- Tasks:
1. Exchange of best practices between film archives of the EU and EEA
2. Inform the film archives community of any relevant EU initiative
3. Provides expertise to the Commission

http://ec.europa.eu/secretariat_general/regexp/

1. Relevant EU initiatives Standardisation mandate to CEN on interoperability of film data bases

- Commission's **standardisation mandate** to CEN for the adoption of European standards on the interoperability of film databases.

- CEN/BT/TF 179 – 2 draft standards:

"Film Identification – Minimum metadata set for cinematographic works" - Adoption: mid-2009

"Film Identification – Enhancing interoperability of metadata – Elements sets and structures" - Adoption: mid-2010

- How to get involved? Through national standardisation body for:
- Participating the Task Force
- Sending comments via the CEN Enquiry

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1. Relevant EU initiatives
Facilitating the negotiation of a framework contract on voluntary deposit

- Negotiation between ACE and FIAFP to establish procedures for voluntary deposit of films with preservation archives.

- The model contract covers exhaustively all aspects related to the deposit. It contains a 'template' for a contract, that can be easily adapted by each film archive.

- The Commission recommends the use of this model contract once it becomes available.

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1. Relevant EU initiatives
MEDIA Pilot Project MIDAS

- **MIDAS:** Moving Image Database for Access and Re-use of European Film Collections.

- Financed by the Commission via the **MEDIA Programme**.

- **Aim:** search and retrieval of archival materials held in a number of collections across Europe by centralising the process of search and retrieval, and by overcoming the language barrier.

- Operating application will give access to moving images from 18 institutions in 12 countries representing 11 languages.

http://www.filmarchives-online.eu/

1. Relevant EU initiatives
MEDIA Video on Demand project
Treasures from European Archives

- Financed by the European Commission via **MEDIA Programme**

- Objective: create a VOD site in 5 languages offering selected films from 37 film archives

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1. Relevant EU initiatives
eContentplus Programme
« European Film Gateway »

- Research programme financed by the Commission under the **eContentplusProgramme**

- Start date: Autumn 2008

- Aim: building a single access point for digital content from Europe's film archives.

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1. Relevant EU initiatives
Digital Libraries Initiative

- The **Digital Libraries Initiative**: launched in 2005

  http://ec.europa.eu/information_society/activities/digital_libraries/mseg/index_en.htm

- **European Digital Library (ELD)**:
  - www.europeana.eu
  - To be launched in November 2008
  - Involvement of ACE

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1. Relevant EU initiatives
Orphan works

- Commission Recommendation of 24/8/06 on digitalisation and digital preservation encourages Member States to introduce the mechanism to facilitate the use of **orphan works**.

- Negotiations between stakeholders on **"industrial guidelines for due diligence in relation to orphan works**", in 4 sector-specific groups.

- ACE is involved in the Audiovisual group

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2. Recommendation on Film Heritage

- Collection
- Cataloguing
- Creation of databases
- Preservation
- Restoration
- Accessibility to the works
- Professional training
- Cooperation between film heritage institutions

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2. Recommendation on Film Heritage / Film Heritage Institutions

Funding and staff resources of Member State film heritage institutions
(EU-27; € no. of full-time staff)

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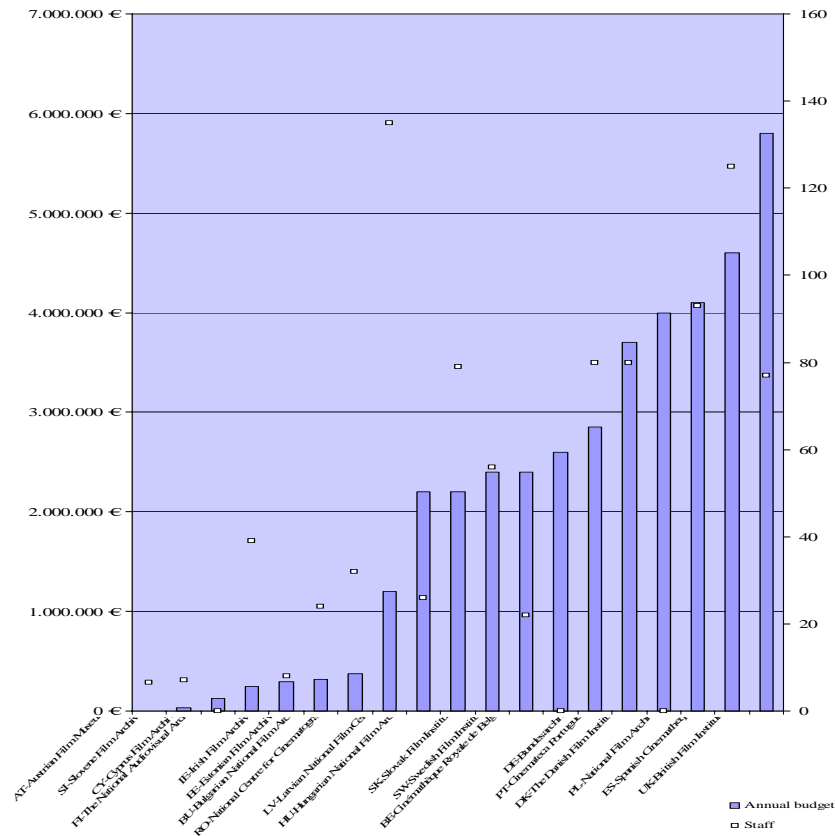
2. Recommendation on Film Heritage / Collection

Deposit of cinematographic works by Member States
(type of deposit scheme, based on reported information
from 24 Member States)

- ■ Legal deposit for all works
- ■ Compulsory deposit of funded works
- □ Voluntary deposit
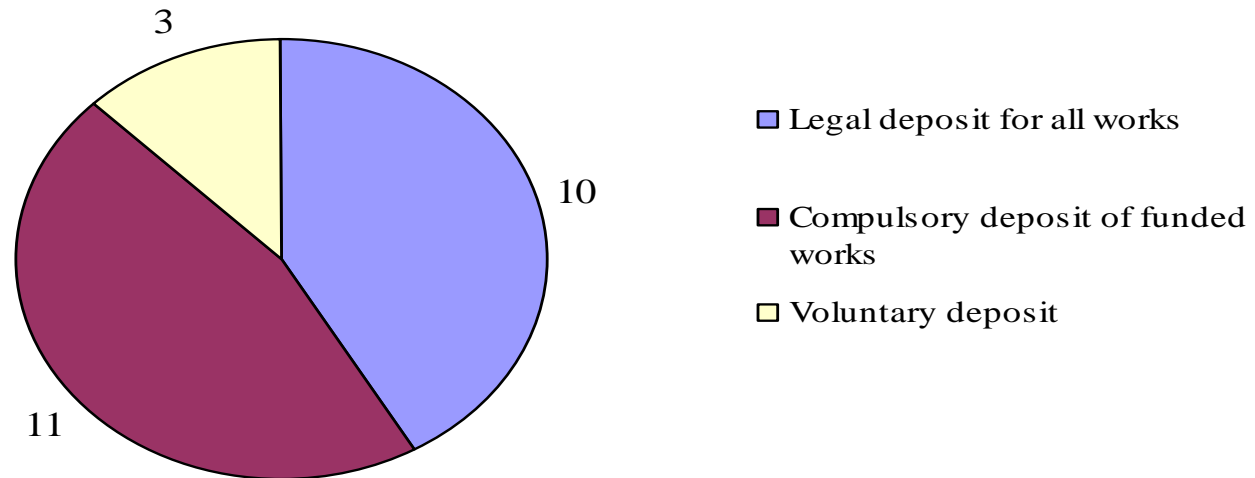
2. Recommendation on Film Heritage / Collection

PROBLEMS

- Lack of systematic deposit in some MS
- Lack of compliance with the obligation of deposit
- Technical quality of deposited material is not checked

BEST PRACTICES

- « Watchdog units »
- « deposit certificates »
- Active policy to promote voluntary deposit

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2. Recommendation on Film Heritage / Cataloguing and databases

PROBLEMS

- Lack of interoperability

BEST PRACTICES

- Use of FIAF cataloguing rules

- Participation in EU projects to enhance interoperability of databases

- Databases available on the Internet

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2. Recommendation on Film Heritage / Preservation

PROBLEMS

- Lack of adequate depositories in certain MS

- Preservation of original equipment

BEST PRACTICES

- Special depositories

- Digitalisation plans

- Nitrate plans

- Preservation programmes and annual plans

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2. Recommendation on Film Heritage / Restoration

Many different approaches:

- In-house restoration
- Outsourcing
- Partnerships with the commercial sector
- Cooperation between archives
- Digital technique versus original technique

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2. Recommendation on Film Heritage / Accessibility

In agreement with right-holders

- Non-commercial projections
- TV broadcasting
- Film heritage festivals
- VoD services
- DVD releases
- Free access to students to projections
- Consultation by researches allowed by copy-right law
- DK: subsidised films may be shown without payment of a fee

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2. Recommendation on Film Heritage / Professional training

- Very limited specialised training
- Often in-house training

BEST PRACTICES:

- Annual International Workshop in Cinemateca Española
- FIAF summer school

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2. Recommendation on Film Heritage / Education

Best practices:

- Specific programmes for schools
- Publications to assist with film education
- Special film showing for schools
- UK: Screen on line

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3. Recommendation on Film Heritage / Conclusions

9 points to consider by Film Heritage institutions:

1. Long-term strategies and annual plans
2. Checking compliance with deposit obligations
3. Voluntary deposit as a complement
4. Interoperability of film databases / making them accesible via the Internet
5. Restoration: partnerships with the commercial sector and other film archives

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3. Recommendation on Film Heritage / Conclusions

9 points to consider by Film Heritage institutions:

6. Agreements with right-holder to promote cultural access to film heritage

7. Creation of specialised training at University level

8. Give priority to educational programmes and activities

9. Prepare for the challenges of the digitigal era

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Film Heritage Recommendation Implementation Report

NEXT STEPS:

- Adoption of the report as a Commission Staff Working Document

- Publication of MS reports in the Commission website

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